

## Message Text

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ACTION IO-10

INFO OCT-01 ARA-06 ISO-00 EB-07 AID-05 MMS-01 SR-02 ORM-01

CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02 NSAE-00 NSC-05

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EUR-12 NEA-09 /110 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC 555

INFO AMEMBASSY SANTIAGO

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E.O. 11652: NA

TAGS: ECOSOC, SHUM CI

SUBJECT: HUMAN RIGHTS COMMISSION - HUMAN RIGHTS IN CHILE

REF: (A) GENEVA 729

(B) STATE 27745

1. UK DEL TODAY GAVE US ANOTHER REVISION OF DRAFT RESOLUTION ON PROTECTION OF HUMAN RIGHTS IN CHILE (TEXT AT END OF THIS MESSAGE). THIS LATEST REVISION RELECTS CONVERSATIONS UK DEL HAS HAD WITH OTHER WEO DELS AND WITH HRC CHAIRMAN ALLANA.

2. REVISED DRAFT CONTAINS TWO NEW PREAMBULAR PARAGRAPHS ATTIBUTABLE TO NETHERLANDS DEL. OF ALL WEOS, NETHERLANDS DEL IS MOST RESTIVE WITH MODERATE APPROACH. THEY INSIST ON INCLUSION OF TWO NEW PREAMBULAR PARAGRAPHS IN ORDER TO MAINTAIN THEIR SUPPORT FOR UK INITIATIVE.

3. THE NEW OPERATIVE PARAGRAPHS WHICH WOULD  
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ASSIGN THE STUDY TAKS TO THE COMMISSION CHAIRMAN

WITH THE HELP OF SUCH PERSONS FROM THE HRC OR ITS SUBCOMMISSION AS HE MAY SELECT, IS BASED UPON THE INTEREST EXPRESSED BY CHAIRMAN ALLANA IN CARRYING OUT THIS MISSION. ALLANA HAS SO FAR PRESIDED OVER HRC IN COMPETENT MANNER. ACCORDING TO NETHERLANDS REP VAN BOVEN, WHO SERVED ON WORKING GROUP WHICH MET PRIOR TO OPENING OF HRC SESSION TO REPORT ON CASES TO BE CONSIDERED UNDER ECOSOC RES 1503 PROCEDURES, ALLANA, WHO WAS ALSO MEMBER OF WORKING GROUP, WAS MOST CONSERVATIVE OF FOUR MEMBERS AND APPEARED TO BE MOST SOLICITIOUS OF GOVERNMENTAL POSITIONS.

4. UK DEL INFORMS US THAT THEY MOVED FORWARD SO QUICKLY FROM THE PREVIOUS DRAFT SENT REF (A) AND OPTED FOR THE CHOICE OF THE HRC CHAIRMAN TO CONDUCT STUDY BECAUSE OF ALLANA'S EXPRESSED INTEREST AND BECAUSE USE OF CHAIRMAN OFFERED WAY ROUND DIFFICULT CHOICE OF OTHER MEMBERS OF STUDY TEAM THOUGH ASSIGNING SELECTION TO CHAIRMAN. IT WOULD BE EXPECTED THAT CHAIRMAN IN MAKING SELECTIONS WOULD BEAR IN MIND THEIR LIKELY ACCEPTABILITY TO THE GOVERNMENT OF CHILE. UK DEL IS FURTHER OF THE OPINION THAT A RESOLUTION BY WHICH THE HRC WOULD REQUEST STUDY BY THE AOS WOULD HAVE NO CHANCE OF SECURING MAJORITY SUPPORT IN THE HRC.

4. DURING THE COURSE OF THE AFTERNOON OF FEB 7, UK DEL DISCUSSED THE APPROACH EMBODIED IN THEIR LATEST REVISION WITH CHILEAN OBSERVER, AMBASSADOR DIEZ, WITHOUT SHOWING HIM THE TEXT. THEY INFORMED US THAT THE REACTION OF AMBASSADOR DIEZ WAS GENERALLY FAVORABLE AND THAT HE SAID HE WOULD RECOMMEND A POSITIVE ATTITUDE TO HIS GOVERNMENT.

5. THIS LATEST REVISED DRAFT HAS BEEN WORKED OUT BY UK DEL ON THE BASIS OF CONSULTATIONS HELD IN GENEVA AND HAS NOT YET HAD THE FINAL APPROVAL OF HMG. UK DEL IS SENDING TEXT TO LONDON TOGETHER WITH THEIR REPORT OF THE POSITIVE REACTION OF THE CHILEAN OBSERVER. THEY FULLY EXPECT TO RECEIVE APPROVAL LIMITED OFFICIAL USE

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FROM LONDON TO PURSUE FURTHER CONSULTATIONS ON THE BASIS OF THIS TEXT

6. IN VIEW OF ABOVE DEVELOPMENTS WE HAVE NOT SPOKEN FURTHER WITH CHILEAN OBSERVER DEL PURSUANT TO REF (B). WE WANT FIRST TO BE ASSURED THAT UK DEL IN GENEVA HAS SUPPORT OF ITS GOVERNMENT FOR LATEST REVISION.

7. UK DEL ALSO HAS INFORMED US THAT THEY HAVE RECEIVED REPORT FROM UK AMBASSADOR IN SANTIAGO ON HIS CONVERSAION HELD WITH FOREIGN MINISTER CARVAJAL ON FEBRUARY 5. CONVERSATION RELATED TO MODERATE APPROACH IN HRC AS FAVORED BY HMG. CARVAJAL IS REPORTED TO HAVE INDICATED WILLINGNESS TO CONSIDER HRC STUDY MISSION AN EXCEPTION TO GOV POLICY OF REFUSING FURTHER ADMISSION TO OUTSIDE INVESTIGATORY GROUPS. CARVAJAL IS REPORTED TO HAVE PROMISED SO TO RECOMMEND TO PRESIDENT PINOCHET.

8. TEXT OF UK DRAFT RESOLUTION FOLLOWS:

DRAFT RESOLUTION  
PROTECTION OF HUMAN RIGHTS IN CHILE  
THE COMMISSION ON HUMAN RIGHTS  
NOTING THAT IN RESOLUTION 8 (XXVII) THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES RECOMMENDED THAT THE COMMISSION STUDY THE PREPOTED VIOLATIONS OF HUMAN RIGHTS IN CHILE, WITH PARTICULAR REFERENCE TO TORTURE, CRUEL AND IN-HUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

NOTING ALSO THAT THE GENERAL ASSEMBLY ENDORSED THIS RECOMMENDATION IN ITS RESOLUTION 3219 (XXIV);

RECOGNIZING THE COOPERATION THAT THE GOVERNMENT OF CHILE HAS EXTENDED TO THE UHCR, ILO, ICRC AND THE OAC IN THEIR RESPECTIVE FILED OF COMPETENCE RELATING TO THE PRODECTION OF HUMAN RIGHTS IN CHILE;

NOTING THAT THE GOVERNMENT OF CHILE HAS ALLOWED REPRESENTATIVES OF NON-GOVERNMENTAL ORGANIATIONS TO ENTER THE COUNTRY TO INFORM LIMITED OFFICIAL USE

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THEMSELVES ON THE HUMAN RIGHTS IN CHILE;

NOTING THAT CERTAIN DETAINEES HAVE RECENTLY BEEN RELAESED;

HAVING STUDIED THE INFORMATION AND REPORTS SUBMITTED BY INTER-GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS ON TORTURE AND OTHER CRUEL,INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT AS WELL AS OTHER SERIOUS VIOLATIONS OF HUMAN RIGHTS IN CHILE;

DEEPLY CONCERNED BY THE SERIOUS VIOLATIONS OF HUMAN RIGHTS WHICH WERE BROUGHT TO THE NOTICE OF THE COMMISSION AND CONVINCED THAT THE ACTUAL HUMAN RIGHTS SITUATION IN CHILE NEED TO BE REVIEWED;

1) DECIDES THAT ITS CHAIRMAN SHALL ENQUIRE INTO THE PRESENT SITUATION OF HUMAN RIGHTS IN CHILE ON THE BASIS OF A VISIT TO THE COUNTRY AND OF ORAL AND WRITTEN EVIDENCE TO BE GATHERED FROM ALL RELEVANT SOURCES;

2) REQUESTS HIM IN PARTICULAR TO INVESTIGATE THE CIRCUMSTANCES AND CONDITIONS IN WHICH PERSONS ARE HELD IN DETENTION;

3) FURTHER REQUESTS ITS CHAIRMAN TO SELECT (TWO OR FOUR) PERSONS FROM AMONG THE MEMBERSHIP OF THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES TO ACCOMPANY AND ASSIST IN HIS ENQUIRIES;

4) APPEALS TO THE GOVERNMENT OF CHILE TO EXTEND ITS FULL CO-OPERATION TO THE CHAIRMAN AND HIS ASSOCIATES IN FULFILLING THEIR TASKS, INCLUDING THE GRANTING OF ALL NECESSARY FACILITIES AND COMPLETE FREEDOM OF MOVEMENT IN THE COUNTRY FOR THIS PURPOSE;

5) REQUEST ITS CHAIRMAN TO REPORT THE RESULTS OF HIS ENQUIREIS TO THE COMMISSION ON HUMAN RIGHTS AT ITS 32ND SESSION AND TO MAKE HIS INFORMATION AVAILABLE TO THE SECRETARY GENERAL FOR INCLUSION IN HIS REPORT TO THE 30TH SESSION OF THE GENERAL ASSEMBLY IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION 3219 (XXIX).  
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## Message Attributes

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